

SECTOR 18
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>In re Application of Avi J. Ashkenazi et al. Serial No.: 09/724,341 Filed: November 28, 2000 For: USES OF AGONISTS AND ANTAGONISTS TO MODULATE ACTIVITY OF TNF-RELATED MOLECULES</p>	<p>Group Art Unit: 1614 Examiner: CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on February 6, 2001 <i>Diane L. Marschang</i> Diane L. Marschang</p>
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RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

BOX MISSING PARTS
 Assistant Commissioner of Patents
 Washington, D.C. 20231

Sir:

This is responsive to the Notice to File Missing Parts - Filing Date Granted dated January 12, 2001. Transmitted herewith are the Declaration, duly executed, and a copy of Notice to File Missing Parts.

In the Notice to File Missing Parts, it was indicated that the nucleotide and/or amino acid sequences contained in the application do not comply with the requirements of Rules 1.821- 1.825. Because the Notice did not include a Raw Sequence Error Report identifying the errors in the Sequence Listing originally filed with the application, the undersigned contacted, via telephone, Mr. Mark Spencer of the PTO Sequence Listing Help Desk on January 26, 2001. Mr. Spencer informed the undersigned that according to the PTO records, the Sequence Listing (paper copy and CRF) originally filed with the present application had been processed at the PTO on December 8, 2000 and that that Sequence Listing did not contain any errors. Accordingly, it appears that the instant Notice to File Missing Parts erroneously states that a corrected Sequence Listing is required. Based on the information provided by Mr. Spencer to the undersigned, Applicants are not providing herewith any Sequence Listing related documents. If Applicants receive any future PTO communications concerning defects in the Sequence Listing of the present application, it is believed that any such communication(s) (or any responses required by Applicants to correct the defects) should not adversely effect the calculation of patent term granted on the present application. The undersigned, on behalf of Applicants, has investigated this

matter with the PTO, has relied on the information provided by Mr. Spencer concerning the Sequence Listing, and believes that the presently filed documents are fully responsive to the instant Notice to File Missing Parts.

The Commissioner is hereby authorized to deduct the appropriate surcharge fee of \$130 associated with this communication or credit any overpayment to Deposit Account No. 07-0630. A duplicate of this sheet is enclosed.

Respectfully submitted,

GENENTECH, INC.

Date: February 6, 2001

By: *Diane L. Marschang*
Diane L. Marschang
Reg. No. 35,600
Telephone No. (650) 225-5416



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PATENT TRADEMARK OFFICE



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/724,341	11/28/2000	Avi J. Ashkenazi	P1805R1

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GENENTECH, INC.
1 DNA WAY
SOUTH SAN FRANCISCO, CA 94080



FORMALITIES LETTER



OC000000005674856

Date Mailed: 01/12/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
 - To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
 - The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):
 - This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-1123
- For CRF Submission Help, call (703) 308-4212
- PatentIn Software Program Support
- - For Technical Assistance, call (703) 287-0200
- - To Purchase PatentIn Software, call (703) 306-2600

- The balance due by applicant is \$ 130.

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE